

Please cancel claims 2, 3, 5, 6 and 7.

REMARKS

In the instant amendment, claim 1 has been extensively amended by adding reference to the end edges defining the notches in the blank, and claim 4 has been amended by the incorporation of the subject matter of claims 5, 6 and 7 therein. Claims 2, 3, and 5 - 7 have been cancelled.

In view of the objection to the drawing, a proposed drawing correction is herein submitted wherein changes have been indicated in red. Upon the application being allowed, and these changes approved by the Examiner, a new drawing will be submitted corrected as indicated.

Claims 1 - 7 continue to be rejected under 35 U.S.C. § 103(a) as unpatentable over the acknowledged prior art and the French Patent 2,462,619. Reconsideration of this rejection is respectfully requested in view of the amendments made to claims 1 and 4, and the following arguments.

In the REMARKS of the amendment filed November 12, 1997, applicant's attorney extensively argued the distinction of the invention over the applied references and these REMARKS are herein incorporated by reference. The following REMARKS are presented to permit the Examiner to understand the novelty of the invention and why the crux of the invention is not suggested by the prior art, or would not be apparent to one skilled in the art without the hindsight provided by the application.

The purpose of the invention is to provide a winch capable of being used in the same environment as the winch shown in FIGS. 1 and 2, but wherein the new winch would be more economical to manufacture without sacrificing strength or ease of use.

As previously discussed during the prior prosecution of the application, the objects of the invention are accomplished by the use of a flat blank stamped in the configuration shown in FIG. 5 wherein, upon folding of the blank at the bend locations 70, the winch walls and base are quickly formed as desired. Also, the lips 56 and 64 which are necessary for cooperating with the track hooks are integrally formed of the winch base material. However, the integral or homogeneous construction of the winch would not be possible unless the lips 56 and 64 are accessible by movement of the winch parallel to the length of the lips so as to be placed upon the track hooks. To provide this lip accessibility, the applicant forms the notches 54 and the openings 60 at the ends of the lips 56 and 64 and locates the bend lines 70 through the transversely aligned notches 54 and openings 60, as shown in FIG. 5, intermediate the end edges defining the length of the notches 54 and openings 60 in the direction of the length of the blank as shown in FIG. 5. By locating the bend lines 70 intermediate the notch and opening end edges, the notches and openings will extend into the winch side walls 48 and provide access to the lips 56 and 64, as apparent from FIG. 4.

Accordingly, a most significant aspect of the invention is the fact that the bend lines 70 occur intermediate the end edges of the

notches 54 and openings 60 so that portions of the notches and openings exist in the winch side walls 48 assuring accessibility of the lips to the track hooks. There is no teaching in the prior art whereby the bending of sheet metal through a notch or opening will permit the advantages derived by the invention.

In the prior art winch as shown in FIGS. 1 and 2, the plates 12 and 14 are welded to the winch side walls 16, and access to the lips 18 and 20 is due to the fact that the lip 18 extends beyond the edge of the side walls 16, and the lip 20 is in alignment with an opening defined only in the side walls 16. No bending operation takes place in this prior art winch, and as will be appreciated from FIG. 1, the plates 12 and 14 are of greater length than the spacing between the side walls 16 and no bending operation occurs, and there is no suggestion that access to the lips 18 and 20 could be achieved by a bending action.

In the French patent '619, a winch is shown for webbing material wherein web receiving openings 7 are formed in the base for receiving a web strap, not shown. To prevent cutting and chafing of the web strap, the edges of the openings 7 are folded back to produce a rounded surface to minimize web wear. In the '619 patent, no lips are formed which would cooperate with the equivalent of the track hooks, and as the winch shown in the '619 patent is only connected to flexible webs, rather than a rigid track, no components equivalent to the lips recited in the claims is illustrated, or is necessary, and under no circumstances can the shaped surfaces 6 of this reference be considered the equivalent of

the applicant's lips 56 and 64 as the purpose of the edges 6 is only to prevent web chafing and cutting.

To emphasize the novelty achieved by locating the bend lines 70 intermediate the end edges of the notches 54 and 60, extensive amendments have been made to method claim 1 in this regard. Neither of the references recognize that it would be possible to provide end-wise access to the lips 56 and 64 by passing the bend lines 70 through the notches and openings so as to provide end-wise access to the lips, and in view of the amendments to claim 1 emphasizing this characteristic of the invention, patentable significance is respectfully submitted to exist.

In apparatus claim 4, the homogeneous construction of the base and winch walls is recited wherein notches and openings are located in the walls to provide access to the lips. The location of the lips as being on the first lateral side of the base, and in a slot defined in the base intermediate the base sides, distinguishes the structure of the invention over the prior art, and the location of the notches and openings in alignment with the length of the lips is directed to novel subject matter.

It is respectfully submitted that one skilled in the art having the prior art before him might construct the prior art winch for support by a web as shown in the '619 patent, but because the '619 French patent is devoid of any lip structure, and does not suggest how lips could be formed or access thereto be constructed in a homogeneous blank fabrication, and because the winch of FIGS. 1 and 2 could not be formed by bending because of the length of

plates 12 and 14, that without the hindsight provided by the solution of the invention, the position of the Examiner would not be obvious.

In view of the above amendments and remarks, reconsideration is respectfully requested.

Respectfully submitted,

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By



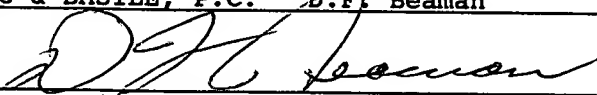
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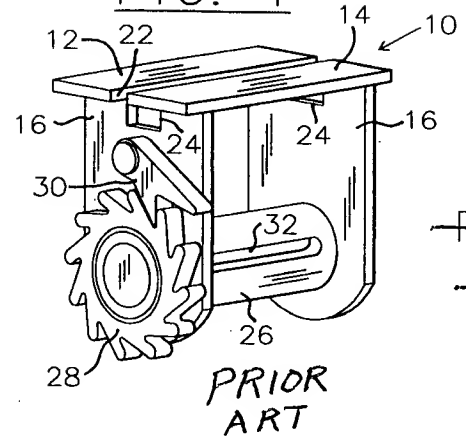
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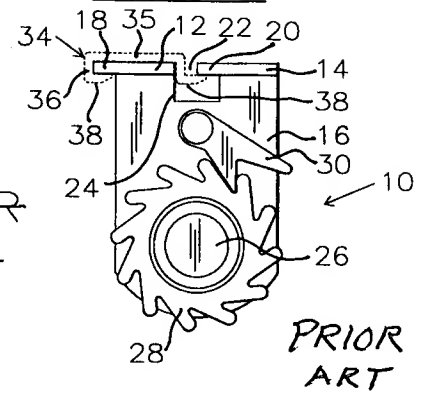
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FIG. 1



~~PRIOR~~
~~ART~~

FIG. 2



PRIOR
ART

FIG. 3

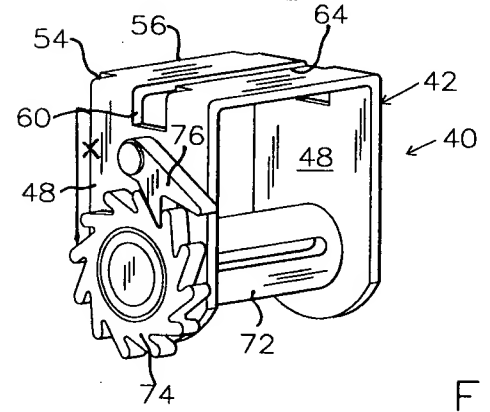


FIG. 4

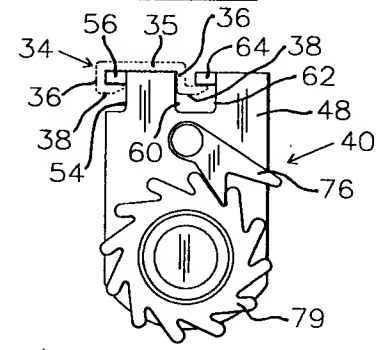


FIG. 6

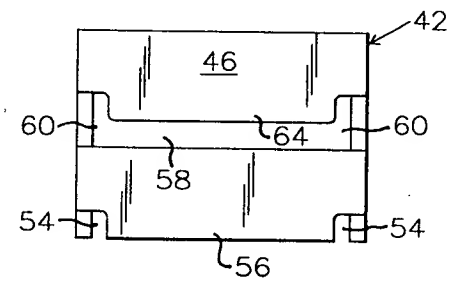
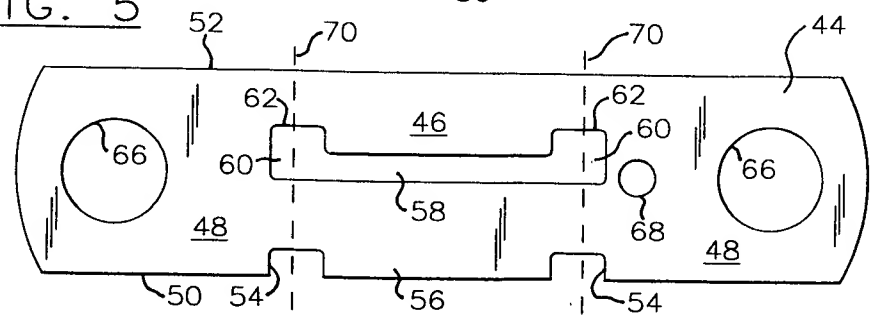


FIG. 5



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